



IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Newport News Division

UNITED STATES OF AMERICA	)	CRIMINAL NO. 4:12cr <u>28</u>
)	
v.	)	18 U.S.C. § 1951(a)
	)	Conspiracy to Obstruct, Delay, and
MICHAEL JAY TUCKER,	)	Affect Commerce by Robbery (Count 1)
LINDSAY NATHANIEL GEORGE,)	
APRIL JONES,	)	18 U.S.C. §§ 1951(a) and 2
	)	Obstruct, Delay and Affect Commerce
Defendants.	)	by Robbery (Counts 2, 3, 5)
)	
	)	18 U.S.C. §§ 924(c)(1) and 2
	)	Using, Carrying, and Possessing a Firearm
	)	in Relation to a Crime of Violence
	)	(Counts 4, 6)

INDICTMENT

March 2012 Term - At Newport News, Virginia

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. At all times material to this indictment, the Happy Shopper convenience store, One Stop Food Mart convenience store, and Hardee's restaurant referenced herein were businesses engaged in receiving and selling goods in interstate commerce, in an industry that affects interstate commerce.
2. Beginning on a date unknown to the Grand Jury, but not later than on or about January 22, 2012, and continuing through at least on or about January 23, 2012, in the Eastern District of Virginia, the defendants, MICHAEL JAY TUCKER, LINDSAY NATHANIEL GEORGE, and APRIL JONES, did knowingly and willfully combine, conspire, confederate and agree with each other to unlawfully obstruct, delay and affect, and attempt to obstruct, delay and

affect, commerce as that term is defined in Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in such commerce, by robbery as that term is defined in Title 18, United States Code, Section 1951(b)(1), in that the defendants did unlawfully agree to take and obtain United States currency from employees of the Happy Shopper convenience store in Hampton, Virginia, the One Stop Food Mart convenience store in Newport News, Virginia, and the Hardee's restaurant in Hampton, Virginia, against their will by means of actual and threatened force, violence, and fear of injury, immediate and future, to each of their persons, and property in their custody and possession, that is, the defendants, aiding and abetting each other, used, carried, displayed, possessed, brandished, and pointed firearms at said employees of Happy Shopper convenience store, One Stop Food Mart convenience store, and Hardee's restaurant, and demanded money, in violation of Title 18, United States Code, Section 1951:

Ways, Manner and Means of the Conspiracy

It was part of the conspiracy that the defendants would and did:

1. identify a victim store for robbery;
2. enter the victim store while using, carrying, and possessing firearms during and in relation to and in furtherance of the robbery crime;
3. place the victim store's employees in fear of injury and violence by using and threatening to use the firearms and force to cause injury; and
4. steal United States currency in the victim store's possession.

Overt Acts

In furtherance of the conspiracy and in order to effect the objects thereof, the defendants and their co-conspirators committed and caused to be committed the following overt acts, among others, in the Eastern District of Virginia:

1. As Overt Acts of this conspiracy, the Grand Jury adopts, re-alleges, and incorporates by reference herein the factual allegations set forth in Counts 2 through 6 of this indictment.

(All in violation of Title 18, United States Code, Section 1951(a)).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. At all times material to this indictment, the Happy Shopper convenience store referenced herein was a business engaged in receiving and selling goods in interstate commerce, in an industry that affects interstate commerce.

2. On or about January 22, 2012, at the Happy Shopper convenience store, 1255 N. King Street, Hampton, Virginia, in the Eastern District of Virginia, defendants, MICHAEL JAY TUCKER, LINDSAY NATHANIEL GEORGE, and APRIL JONES aided and abetted by one another, did knowingly and unlawfully obstruct, delay and affect, and attempt to obstruct, delay and affect commerce as that term is defined in Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in such commerce, by knowingly and willfully committing robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), in that the defendants did unlawfully take and obtain property consisting of United States currency from the persons of, and in the presence of, Happy Shopper convenience store

employees, against their will by means of actual and threatened force, violence and fear of injury, immediate and future, to their persons, that is, the defendants, aiding and abetting each other, used, carried, displayed, possessed, brandished, and pointed a firearm at said employees of the Happy Shopper convenience store, and demanded money belonging to the business.

(In violation of Title 18, United States Code, Sections 1951(a) and 2).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. At all times material to this indictment, the One Stop Food Mart convenience store referenced herein was a business engaged in receiving and selling goods in interstate commerce, in an industry that affects interstate commerce.

2. On or about January 23, 2012, at the One Stop Food Mart convenience store, 780 J. Clyde Morris Boulevard, Newport News, Virginia, in the Eastern District of Virginia, defendants, MICHAEL JAY TUCKER, LINDSAY NATHANIEL GEORGE, and APRIL JONES, aided and abetted by one another, did knowingly and unlawfully obstruct, delay and affect, and attempt to obstruct, delay and affect commerce as that term is defined in Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in such commerce, by knowingly and willfully committing robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), in that the defendants did unlawfully take and obtain property consisting of United States currency from the persons of, and in the presence of, One Stop Food Mart employees, against their will by means of actual and threatened force, violence and fear of injury, immediate and future, to their persons, that is, the defendants, aiding and abetting each other, used, carried, displayed, possessed, brandished, and pointed a firearm at and in the presence of said employees of the One Stop Food Mart convenience store, and demanded money belonging to the business.

(In violation of Title 18, United States Code, Sections 1951(a) and 2).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 23, 2012, in the Eastern District of Virginia, defendants, MICHAEL JAY TUCKER and LINDSAY NATHANIEL GEORGE, aided and abetted by one another, did knowingly use, carry, possess and brandish a firearm during and in relation to and in furtherance of the commission of a crime of violence for which they may be prosecuted in a court of the United States, to wit: Conspiracy to Obstruct, Delay and Affect Commerce by Robbery as charged in Count One above and Interference with Commerce by Robbery, as charged in Count Three above.

(In violation of Title 18, United States Code, Sections 924(c)(1) and 2).

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

1. At all times material to this indictment, the Hardee's restaurant referenced herein was a business engaged in receiving and selling goods in interstate commerce, in an industry that affects interstate commerce.

2. On or about January 23, 2012, at the Hardee's restaurant, 241 S. Mallory Street, Hampton, Virginia, in the Eastern District of Virginia, defendants, MICHAEL JAY TUCKER, LINDSAY NATHANIEL GEORGE, and APRIL JONES, aided and abetted by one another, did knowingly and unlawfully obstruct, delay and affect, and attempt to obstruct, delay and affect commerce as that term is defined in Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in such commerce, by knowingly and willfully committing robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), in that the defendants did unlawfully take and obtain property consisting of United States currency from the persons of, and in the presence of, Hardee's restaurant employees, against their will by means of actual and threatened force, violence and fear of injury, immediate and future, to their persons, that is, the defendants, aiding and abetting each other, used, carried, displayed, possessed, brandished, and pointed firearms at and in the presence of said employees of the Hardee's restaurant, and demanded money belonging to the business.

(In violation of Title 18, United States Code, Sections 1951(a) and 2).

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 23, 2012, in the Eastern District of Virginia, defendants, MICHAEL JAY TUCKER and LINDSAY NATHANIEL GEORGE, aided and abetted by one another, did knowingly use, carry, possess and brandish a firearm during and in relation to and in furtherance of the commission of a crime of violence for which they may be prosecuted in a court of the United States, to wit: Conspiracy to Obstruct, Delay and Affect Commerce by Robbery as charged in Count One above and Interference with Commerce by Robbery, as charged in Count Five above.

(In violation of Title 18, United States Code, Sections 924(c)(1) and 2).

UNITED STATES v. MICHAEL JAY TUCKER, et al.

CRIMINAL NO: 4:12cr 28

A TRUE BILL

Redacted

FOREPERSON

Neil H. MacBride
United States Attorney

By: BR D. Price
Bradley D. Price
Special Assistant United States Attorney
Fountain Plaza Three, Suite 300
721 Lakefront Commons
Newport News, VA 23606
(757) 591-4000